

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DIANE VARIAN, et al.,
Plaintiffs,
v.
PRINCIPAL NATIONAL LIFE
INSURANCE COMPANY, et al.,
Defendants.

Case No. 1:23-cv-00051-NODJ-EPG

ORDER APPROVING STIPULATION
(ECF No. 30)

On February 29, 2024, the parties filed a stipulation (later amended), stating that there are “several other putative class actions [that] are currently pending in California district courts, including in this District, involving alleged violations of California Insurance Code sections 10113.71 and 10113.72 by life insurers with respect to the provision of notices of lapse,” and there are likewise relevant appeals in *Farley* (Case No. 23-80037), *Small* (Case No. 23-80050), and *Poe* (Case No. 23-3243) before the Ninth Circuit. (ECF No. 30, p. 2). And “the parties believe that a stay of the action as to Plaintiffs’ claims against Principal Life pending the resolution of the pending appeals in *Farley*, *Small*, and *Poe* will advance the interests of justice because it will conserve the resources of the Court and of the parties.” (*Id.* at 4). The parties request that this “action be stayed as to Plaintiffs’ claims against Principal Life pending a final resolution of the appeals in *Farley*, *Small*, and *Poe*, and that Plaintiffs and Principal Life will file a Joint Status Report within 14 days after the final resolution of all three appeals.” (*Id.*).

Upon review of the parties' stipulation (ECF No. 30), IT IS ORDERED as follows:

1. This action is stayed as to the Plaintiffs' claims against Principal Life pending a final resolution of the appeals in (1) *Farley v. Lincoln Benefit Life Company*, Case No. 23-80037 (9th Cir.), (2) *Small v. Allianz Life Ins. Co. of N. Am.*, Case No. 23-80050 (9th Cir.), and (3) *Poe v. The Northwestern Mutual Life Insurance Company*, Case No. 23-3243 (9th Cir.).
2. Plaintiffs and Principal Life shall file a joint status report within 14 days after the final resolution of all three appeals.
3. The action is not stayed as to Plaintiffs' claims against Defendant Nelson and does not preclude Plaintiffs from moving to amend their complaint to add additional allegations, which one or more Defendants may oppose.

IT IS SO ORDERED.

Dated: March 1, 2024

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE